

My residence, post office address and citizenship are as stated below next to my name,

named inventor, I hereby declare that:

			BENZ	CODIOXOLE DERIVATIVES	
the s	pecification of wh	ich	 -		
(che	ck one)				
	is attached heret	О			
X	was filed on	July 24, 2003	3		a
	Application Seri	al No.	10/626,681		
	and was amende	ed on		(if applicable)	-
I her	reby state that I ha	ive reviewed a dment referre	nd understand d to above.	I the contents of the above identified specifi	cation, including the claims, a
	knowledge the dut 37, Code of Feder			hich is material to the patentability of this	application in accordance with
inver	ntor's certificate li	isted below ar	id have also io	le 35, United States Code, § 119 of any fore dentified below any foreign application for n which priority is claimed:	ign application(s) for patent o patent or inventor's certificat
Prio	r Foreign Applicat	tion(s)			Priority Claimed
	02016831.6 (Number)	Euro (Coun	•	29 / July / 2002 (Day/Month/Year Filed)	XNo
	(-1411001)	(00411	··//	(2 5), 1-150-1-1, 2001 2 100-5)	
	(Number)	(Coun	try)	(Day/Month/Year Filed)	Yes No
	(Number)	(Coun	try)	(Day/Month/Year Filed)	Yes No

I hereby claim the benefit under Title 35, Usinsofar as the subject matter of each of the clathe manner provided by the first paragraph of information as defined in Title 37, Code of Fe application and the national or PCT internation	aims of this application is not disclos Title 35, United States Code, § 112, Ederal Regulations, § 1.56(a) which o	sed in the prior United States application in I acknowledge the duty to disclose material
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
I hereby declare that all statements made here and belief are believed to be true; and further and the like so made are punishable by fine of Code and that such willful statements may jeo	that these statements were made wit or imprisonment, or both, under S	h the knowledge that willful false statements ection 1001 of Title 18 of the United States
POWER OF ATTORNEY: As a named invent application and transact all business in the Pat		
X Practitioners at Customer Number 00151		
	00151	
	00151 PATENT TRADEMARK OFFICE	
Direct all correspondence to:		
X Customer Number 00151 or Bar Code Lab		
	00151	
	00151	
Direct telephone calls to: (name and telephone	PATENT TRADEMARK OFFICE number)	
Dennis P. Tramaloni (973) 235-4475		
Full name of sole or first inventor		
Alexander Alanine		
Inventors signature		Date
Residence		
F-68440 Schlierbach, France Citizenship		
British Post Office Address		
11a Rue de Bale, F-68440 Schlierbach, France		
Full name of sole or second inventor		
Konrad Bleicher		Data
Inventors signature		Date
Residence		
D-79110 Freiburg, Germany Citizenship		
German Post Office Address		
Aschenbrennerstrasse 18 D-79110 Freiburg		

(Supply similar information and signature for third and subsequent joint inventors.)

Full name of sole or third inventor, if any	
Wolfgang Guba	
Inventors signature	Date
Residence	
D-79379 Muellheim, Germany Citizenship	
German Post Office Address	
Frankenstrasse 7, D-79379 Muellheim, Germany	
Full name of sole or fourth inventor, if any	
Wolfgang Haap	
Inventors signature	Date
Residence	
D-79540 Loerrach, Germany Citizenship	
German Post Office Address	
Fridolin-Engel-Strasse 51, D-79540 Loerrach, Germany	
Full name of sole or fifth inventor, if any	
Dagmar Kube	
Inventors signature	Date 2003
Dagmar Hube	`August 11, 2003
	nesota 55901, USA
US	
Post Office Address	2554 Boulder Ridge Lane NW
5711-84-1/2-Ave N, Brooklyn Park, Minnesota 55443, USA-	Rochester, Minnesota 55901, USA
Full name of sole or sixth inventor, if any	
Thomas Luebbers	
Inventors signature	Date
Residence	
D-79540 Loerrach, Germany Citizenship	
German Post Office Address	
Talweg 10a, D-79540 Loerrach, Germany	
Full name of sole or seventh inventor, if any	
Jean-Marc Plancher	
Inventors signature	Date
Residence	
F-68220 Knoeringue, France Citizenship	
French Post Office Address	
2 Rue des Romains, F-68220 Knoeringue, France	

Full name of sole or eighth inventor, if any		
Olivier Roche		
Inventors signature	Date	
Residence		
F-68220 Folgensbourg, France		
Citizenship		
French		
Post Office Address		
2 Rue du Cesarhof, F-68220 Folgensbourg, France		
Full name of sole or ninth inventor, if any		
Mark Rogers-Evans		
Inventors signature	Date	
Residence		
CH-4102 Binningen, Switzerland		
Citizenship		
British		
Post Office Address		
Im Zehntenfrei 19, CH-4102 Binningen, Switzerland		
Full name of sole or tenth inventor, if any		
Gisbert Schneider		
Inventors signature	Date	
•		
Residence		
D-61440 Oberursel, Germany		
Citizenship	,	
German		
Post Office Address		
George-CMarshall Ring 33, D-61440 Oberursel, Germany		
Full name of sole or eleventh inventor, if any		-
Jochen Zuegge		
Inventors signature	Date	
Residence		
D-60437 Frankfurt, Germany		
Citizenship		
German		
Post Office Address		
Ludwig Ruppel-Strasse, D-60437 Frankfurt, Germany		

Title 37, Code of Federal Regulations, \$1.56, duty to disclose information material to patentability (in part) provides, in part, that each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned.

- It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim: or (1)
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - Opposing an argument of unpatentability relied on by the Office, or
 - (i) (ii) Asserting an argument of patentability.



Declaration and Power of Attorney for Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

			BENZC	DIOXOLE DERIVATIVES			
the s	pecification of wh	ich					
(che	ck one)					-	
	is attached here	to					
X	was filed on	July 24, 200	3				as
	Application Seri	ial No.	10/626,681				
	and was amende	ed on		(if applicable)			
I her	eby state that I hand	ave reviewed a dment referre	and understand ted to above.	the contents of the above identified spe	cification, in	icluding th	e claims, as
I ack Title	knowledge the du 37, Code of Fede	ty to disclose ral Regulation	information whis, § 1.56(a).	ich is material to the patentability of th	nis applicatio	on in accor	dance with
inve	ntor's certificate l	isted below a	nd have also ide	35, United States Code, § 119 of any fortified below any foreign application function which priority is claimed:	oreign applic for patent or	cation(s) for inventor's	or patent or s certificate
Prio	r Foreign Applica	tion(s)				Priority C	Claimed
	02016831.6 (Number)	Euro (Cou	-	29 / July / 2002 (Day/Month/Year Filed)		X Yes	No
	(114111001)	(004)	//	(2 2)			
	(Number)	(Cou	ntry)	(Day/Month/Year Filed)		Yes	No
	(Number)	(Cou	ntry)	(Day/Month/Year Filed)		Yes	No

I hereby claim the benefit under Title 35, Uninsofar as the subject matter of each of the claithe manner provided by the first paragraph of information as defined in Title 37, Code of Fed application and the national or PCT internation	ms of this application is not disclo Title 35, United States Code, § 112 leral Regulations, § 1.56(a) which	sed in the prior United States application in , I acknowledge the duty to disclose material
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
I hereby declare that all statements made herei and belief are believed to be true; and further the and the like so made are punishable by fine of Code and that such willful statements may jeop	nat these statements were made wit r imprisonment, or both, under S	h the knowledge that willful false statements ection 1001 of Title 18 of the United States
POWER OF ATTORNEY: As a named inventor application and transact all business in the Pate.		
X Practitioners at Customer Number 00151		
	00151	
	00151 PATENT TRADEMARK OFFICE	
Direct all correspondence to:		
X Customer Number 00151 or Bar Code Labe		
	00151	
	00151	
Direct telephone calls to: (name and telephone	PATENT TRADEMARK OFFICE number)	•
Dennis P. Tramaloni (973) 235-4475	·	
Full name of sole or first inventor		
Alexander Alanine		
Inventors signature		Date
Residence		
F-68440 Schlierbach, France Citizenship		
British		
Post Office Address		
11a Rue de Bale, F-68440 Schlierbach, France		
Full name of sole or second inventor		
Konrad Bleicher		
Inventors signature		Date
Residence		
D-79110 Freiburg, Germany Citizenship		
German		
Post Office Address		
Aschenbrennerstrasse 18, D-79110 Freiburg		

Full name of sole or third inventor, if any	
Wolfgang Guba	
Inventors signature	Date
Residence	
D-79379 Muellheim, Germany Citizenship	
German Post Office Address	
Frankenstrasse 7, D-79379 Muellheim, Gern	nany
Full name of sole or fourth inventor, if any	
Wolfgang Haap	
Inventors signature	Date
Residence	
D-79540 Loerrach, Germany Citizenship	
German	
Post Office Address	
Fridolin-Engel-Strasse 51, D-79540 Loerrach	ı, Germany
Full name of sole or fifth inventor, if any	
Dagmar Kube	
Inventors signature	Date
Residence	Rochester, Minnesota 55901, USA
Brooklyn Park, Minnesota 55443, USA-	Modnester, Milliesota 33901, USA
Citizenship	
US Post Office Address	
Post Office Address 5711 84 1/4 Ave N. Brooklyn Park, Minnesots	2554 Boulder Ridge Lane NW USA Rochester, Minnesota 55901, USA
Full name of sole or sixth inventor, if any	
·	
Thomas Luebbers Inventors signature	Date
Residence	
D-79540 Loerrach, Germany Citizenship	
German	
Post Office Address	
Talweg 10a, D-79540 Loerrach, Germany	
Full name of sole or seventh inventor, if any	
Jean-Marc Plancher	
Inventors signature	Date
Residence	
F-68220 Knoeringue, France	
Citizenship	
French Post Office Address	
2 Rue des Romains, F-68220 Knoeringue, Fra	11ICC

4

-3

Full name of sole or eighth inventor, if any	
Olivier Roche Inventors signature	Date
	24.0
Residence	
F-68220 Folgensbourg, France	
Citizenship	
French	
Post Office Address	
2 Rue du Cesarhof, F-68220 Folgensbourg, France	
Full name of sole or ninth inventor, if any	
Mark Rogers-Evans	
Inventors signature	Date
Residence	
CH-4102 Binningen, Switzerland	
Citizenship	
British	
Post Office Address	
Im Zehntenfrei 19, CH-4102 Binningen, Switzerland	
Full name of sole or tenth inventor, if any	
Gisbert Schneider	
Inventors signature	Date
Residence	
D-61440 Oberursel, Germany	
Citizenship	
German Port Office Address	
Post Office Address	
George-CMarshall Ring 33, D-61440 Oberursel, Germany	
Full name of sole or eleventh inventor, if any	
Jochen Zuegge	
Inventors signature	Date
locher Zine	August 15, 2003
Residence	
D-60437 Frankfurt, Germany	
Citizenship	
German	
Post Office Address	
Ludwig Ruppel-Strasse, D-60437 Frankfurt, Germany	

Title 37, Code of Federal Regulations, §1.56, duty to disclose information material to patentability (in part) provides, in part, that each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned.

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim: or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) (ii) Opposing an argument of unpatentability relied on by the Office, or
 - Asserting an argument of patentability.



Declaration and Power of Attorney for Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

			BENZ	ODIOXOLE DERIV	ATIVES			
the s	pecification of wh	ich			_			
(che	ck one)							
	is attached heret	o						
X	was filed on	July 24, 200	3					as
	Application Seri	al No.	10/626,681					
	and was amende	ed on			(if applicable)			
I her	reby state that I hand	ve reviewed a dment referre	and understand ed to above.	the contents of the ab	oove identified spe	ecification, in	ncluding th	e claims, as
	knowledge the dut 37, Code of Feder			nich is material to the	patentability of th	his applicati	on in accor	dance with
inve	ntor's certificate li	sted below as	nd have also id	e 35, United States Co entified below any fo which priority is clair	reign application	oreign appli for patent o	cation(s) for	or patent or s certificate
Prio	r Foreign Applicat	tion(s)					Priority (Claimed
(02016831.6	Euro	•	29 / July			X	
	(Number)	(Cour	itry)	(Day/Month	(Year Filed)		Yes	No
	(Number)	(Cour	ntry)	(Day/Month	/Year Filed)		Yes	No
	(Number)	(Cour	ntry)	(Day/Month	/Year Filed)		Yes	No

I hereby claim the benefit under Title 35, United insofar as the subject matter of each of the claims the manner provided by the first paragraph of Titl information as defined in Title 37, Code of Federapplication and the national or PCT international	of this application is not disc le 35, United States Code, § 1 al Regulations, § 1.56(a) whic	closed in the prior United States application in 12, I acknowledge the duty to disclose material th occurred between the filing date of the prior
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
I hereby declare that all statements made herein of and belief are believed to be true; and further that and the like so made are punishable by fine or in Code and that such willful statements may jeopard	these statements were made unprisonment, or both, under	with the knowledge that willful false statements Section 1001 of Title 18 of the United States
POWER OF ATTORNEY: As a named inventor, application and transact all business in the Patent		
X Practitioners at Customer Number 00151		
	00151	
	00151 PATENT TRADEMARK OFFICE	
Direct all correspondence to: \underline{X} Customer Number 00151 or Bar Code Label	*00151*	
	00151 PATENT TRADEMARK OFFICE	
Direct telephone calls to: (name and telephone nu		•
Dennis P. Tramaloni (973) 235-4475		****
Full name of sole or first inventor		
Alexander Alanine Inventors signature		Date
menors signature		Date
Residence		
F-68440 Schlierbach, France Citizenship		
British Post Office Address		
11a Rue de Bale, F-68440 Schlierbach, France		
Full name of sole or second inventor		
Konrad Bleicher		
Inventors signature		Date
Residence		
D-79110 Freiburg, Germany Citizenship		
German	·	
Post Office Address Aschenbrennerstrasse 18, D-79110 Freiburg		
Aschenorennersuasse 10, D-77110 Freiburg		

Full name of sole or third inventor, if any	
Wolfgang Guba	
Inventors signature	Date
Residence	
D-79379 Muellheim, Germany Citizenship	
German Post Office Address	
Frankenstrasse 7, D-79379 Muellheim, Germany	
Frankenstrasse 7, D-79379 Muelineini, Germany	
Full name of sole or fourth inventor, if any	
Wolfgang Haap	
Inventors signature	Date
Residence	
D-79540 Loerrach, Germany	
Citizenship	
German	
Post Office Address	
Fridolin-Engel-Strasse 51, D-79540 Loerrach, Germany	
Full name of sole or fifth inventor, if any	
Dagmar Kube Inventors signature	Date
Residence	
Brooklyn Park, Minnesota 55443, USA	ester, Minnesota 55901, USA
Citizenship	,
US	
Post Office Address	2554 Boulder Ridge Lane NW
5711-84 1/2-Ave N, Brooklyn Park, Minnesota 55443, USA	Rochester, Minnesota 55901, USA
Full name of sole or sixth inventor, if any	
Thomas Luebbers	Date
Inventors signature	Date
Residence	
D-79540 Loerrach, Germany Citizenship	
German Post Office Address	
Talweg 10a, D-79540 Loerrach, Germany	
Talling 10a, 5 775 to Estitudin, Sermany	
Full name of sole or seventh inventor, if any	
Jean-Marc Plancher	
Inventors signature	Date
Residence	
F-68220 Knoeringue, France	
Citizenship	
French Post Office Address	
2 Rue des Romains, F-68220 Knoeringue, France	

3

.

Full name of sole or eighth inventor, if any	
Olivier Roche	
Inventors signature	Date
S	
Residence	
F-68220 Folgensbourg, France	
Citizenship	
French	
Post Office Address	
2 Rue du Cesarhof, F-68220 Folgensbourg, France	
Full name of sole or ninth inventor, if any	
Mark Rogers-Evans	
Inventors signature	Date
Residence	
CH-4102 Binningen, Switzerland	
Citizenship	
British	
Post Office Address	
Im Zehntenfrei 19, CH-4102 Binningen, Switzerland	
Full name of sole or tenth inventor, if any	
Gisbert Schneider	
Inventors signature	Date
Gigbert Thursday	August 13, 2003
Resillence	
D-61440 Oberursel, Germany	
Citizenship	
German Post Office Address	
	·
George-CMarshall Ring 33, D-61440 Oberursel, Germany	
Full name of sole or eleventh inventor, if any	
Jochen Zuegge	
Inventors signature	Date
Residence	
D-60437 Frankfurt, Germany Citizenship	
·	
German Post Office Address	

Title 37, Code of Federal Regulations, §1.56, duty to disclose information material to patentability (in part) provides, in part, that each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned.

- It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim: or (1)
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - Opposing an argument of unpatentability relied on by the Office, or
 - (i) (ii) Asserting an argument of patentability.



Declaration and Power of Attorney for Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

	BENZODIOXOLE DERIVATIVES						
the s	specification of whic	ch					
(che	ck one)						
	is attached hereto	,					
X	was filed on	July 24, 2003					a:
	Application Seria	l No.	10/626,681				
	and was amended	lon		(if applicable)			
I her	reby state that I hav nded by any amend	e reviewed and ment referred	d understand the	e contents of the above identified sp	ecification, in	cluding the	claims, a
I ack Title	knowledge the duty 37, Code of Federa	to disclose in l Regulations,	formation which § 1.56(a).	n is material to the patentability of	this applicatio	on in accord	lance with
inve	ntor's certificate lis	ted below and	have also ident	5, United States Code, § 119 of any ified below any foreign application hich priority is claimed:			
ъ.						n: : cl	
Prio	r Foreign Applicati	on(s)				Priority Cl	laimed
	02016831.6	Europ	е	29 / July / 2002		X	
	(Number)	(Counti	y)	(Day/Month/Year Filed)		Yes	No
	(Number)	(Counti	у)	(Day/Month/Year Filed)		Yes	No
	(Number)	(Count	y)	(Day/Month/Year Filed)		Yes	No

insofar as the subject matter of each of the claim the manner provided by the first paragraph of Ti information as defined in Title 37, Code of Fede application and the national or PCT internationa	is of this application is not dis tle 35, United States Code, § 1 ral Regulations, § 1.56(a) whice	closed in the prior United States application in 112, I acknowledge the duty to disclose material ch occurred between the filing date of the prior
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
I hereby declare that all statements made herein and belief are believed to be true; and further tha and the like so made are punishable by fine or i Code and that such willful statements may jeopar	it these statements were made imprisonment, or both, under	with the knowledge that willful false statements r Section 1001 of Title 18 of the United States
POWER OF ATTORNEY: As a named inventor application and transact all business in the Patent		
X Practitioners at Customer Number 00151		
	00151	
	00151	
	PATENT TRADEMARK OFFICE	
Direct all correspondence to: X Customer Number 00151 or Bar Code Label	* 00151 * 00151	
Direct telephone calls to: (name and telephone na	patent trademark office umber)	
Dennis P. Tramaloni (973) 235-4475		
Full name of sole or first inventor		
Alexander Alanine		
Inventors signature Alexander alanine. Residence		Date August 4, 2003
F-68440 Schlierbach, France Citizenship		
British Post Office Address		
11a Rue de Bale, F-68440 Schlierbach, France		
Full name of sole or second inventor		
Konrad Bleicher Inventors signature		Date
Longael Selv Residence		August 4, 2003
D-79110 Freiburg, Germany Citizenship		
German Post Office Address		
Aschenbrennerstrasse 18, D-79110 Freiburg		

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and,

Full name of sole or third inventor, if any	
Wolfgang Guba	
Inventors signature	Date
Residence	August 4, 2003
D-79379 Muellheim, Germany Citizenship	
German Post Office Address	
Frankenstrasse 7, D-79379 Muellheim, Germany	
Full name of sole or fourth inventor, if any	
Wolfgang Haap	
Inventors signature	Date 2003
Residence Waap	August 4, 2003
D-79540 Loerrach, Germany Citizenship	
German Post Office Address	
Fridolin-Engel-Strasse 51, D-79540 Loerrach, Germany	
Full name of sole or fifth inventor, if any	
Dagmar Kube	
Inventors signature	Date
Residence	tor Minnersto FEOOI USA
Brooklyn Park, Minnesota 55443, USA Citizenship	ter, Minnesota 55901, USA
US	
Post Office Address	2554 Boulder Ridge Lane NW Rochester, Minnesota 55901, USA
5711 84 1/2 Ave N, Brooklyn Park, Minnesota 55443, USA	Rochester, Minnešota 55901, USA
Full name of sole or sixth inventor, if any	
Thomas Luebbers	
Inventors signature	Date August 4, 2003
Residence	Magast 4, 2005
D-79540 Loerrach, Germany Citizenship	
German Post Office Address	
Talweg 10a, D-79540 Loerrach, Germany	
Full name of sole or seventh inventor, if any	
Jean-Marc Plancher	
Inventors signature	Date
Residence	August 4, 2003
F-68220 Knoeringue, France Citizenship	
French Post Office Address	
2 Rue des Romains, F-68220 Knoeringue, France	

4 3

Full name of sole or eighth inventor, if any	
Olivier Roche	
Inventors signature	Date
Olivier Rock	August 4, 2003
Residence	
E 68220 Folgonshourg France	
F-68220 Folgensbourg, France Citizenship	
French Post Office Address	· · · · · · · · · · · · · · · · · · ·
2 Rue du Cesarhof, F-68220 Folgensbourg, France	
Full name of sole or ninth inventor, if any	
Mark Rogers-Evans Inventors signature	Date
inventors signature	
MC Toges Cons.	August 4, 2003
Residence	
CH-4102 Binningen, Switzerland	
Citizenship	
British	
Post Office Address	
Im Zehntenfrei 19, CH-4102 Binningen, Switzerland	
Full name of sole or tenth inventor, if any	
·	
Gisbert Schneider Inventors signature	Date
mventors signature	Date
Residence	
D 61440 Objetureal Cormany	
D-61440 Oberursel, Germany Citizenship	
German Post Office Address	
George-CMarshall Ring 33, D-61440 Oberursel, Germany	
Full name of sole or eleventh inventor, if any	
Jochen Zuegge	
Inventors signature	Date
· ·	
Residence	
D 60427 Evenlyfort Commence	
D-60437 Frankfurt, Germany Citizenship	
-	
German Post Office Address	
Ludwig Ruppel-Strasse, D-60437 Frankfurt, Germany	

Title 37, Code of Federal Regulations, \$1.56, duty to disclose information material to patentability (in part) provides, in part, that each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned.

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim: or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) (ii) Opposing an argument of unpatentability relied on by the Office, or
 - Asserting an argument of patentability.